3-Judge Panel Dissolved

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Mob Probe Suits Divided

By CHARLES ZEWE

A three-judge federal court today rescinded an order consolidating suits brought by Life magazine writer David Chandler and rackets figure Carlos Marcello attacking the constitutionality of the Louisiana Legislature's Mafia probe committee.

The panel also dissolved the three-judge court hearing the suit and ruled Chandler's suit could be heard by one judge.

A similar suit by Marchello will be scheduled for a hearing at a later date.

THE TWO suits seek to block subpoenas issued by the legislative committee investigating alleged Mafia influence in state government.

"We find that proper relief in this matter can be granted by one judge," said Judge John Minor Wisdom in speaking for the panel, "and we hereby order this panel dissolved."

Attorneys for Chandler objected to dissolving the court and said the motion was tantamount to dismissal of their suit.

"DISSOLVING the three-judge court," Cicero Sessions, chief counsel, said, "in effect denies us the measures which we sought under the preliminary and permanent injunctions to rule the committee unconstitutional. This is a major denial of the relief which we seek."

Attorneys for Carlos Marcello did not object to splitting the two suits and said they are satisfield they can get an adequate hearing by one judge.

"We're confident that our rights will be protected by one judge," said Dean Andrews Jr., a Marcello attorney.

Last week the court consolidated the two suits. "This is a breach of discretion," Sessions told the court. "And this is the first time since 1934, which is when I began practicing law, that I have had a suit consolidated without the court getting my views on the matter beforehand."

BOTH CHANDLER and Marcello have been subpoenaed to appear before the committee and are using these suits to block their appearances.

Chandler's suit was filed three months ago, while Mar-

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cello's was entered last Monday.

Marcello is scheduled to surrender to federal officials Friday to begin serving a two year sentence for assault on an FBI agent. He now has legal moves pending in Houston, Tex., claiming he is too sick to serve.

Ochsner Clinic officials confirmed that Marcello underwent medical tests there last week, apparently in support of his plea.